

# HOUSE BILL 269

M1

(2lr0018)

## ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs* —

Introduced by **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources – Boating – Disclosure of Personal Information**

3 FOR the purpose of *repealing a requirement that an owner of a certain vessel submit a*  
4 *written request to the Department of Natural Resources to prohibit the*  
5 *Department from disclosing certain information to any person;* narrowing the  
6 prohibition against and exception for the disclosure of certain records held by  
7 the Department of ~~Natural Resources~~ by applying the prohibition and exception  
8 only to personal information about the owner of a registered vessel; clarifying  
9 the application of certain exceptions to the prohibition under certain  
10 circumstances against the Department disclosing certain personal information  
11 about an owner of a registered vessel; and generally relating to disclosure of  
12 records held by the Department of Natural Resources.

13 BY repealing and reenacting, without amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 Article – Natural Resources  
 2 Section 8–704.1  
 3 Annotated Code of Maryland  
 4 (2007 Replacement Volume and 2011 Supplement)

5 BY repealing and reenacting, with amendments,  
 6 Article – State Government  
 7 Section 10–616(s)  
 8 Annotated Code of Maryland  
 9 (2009 Replacement Volume and 2011 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Natural Resources**

13 8–704.1.

14 (a) Except as provided in subsection (b) of this section, ~~upon written request~~  
 15 ~~by the owner of a vessel registered under this subtitle that information about that~~  
 16 ~~person not be disclosed,~~ the Department may not furnish to any person the name,  
 17 address, or other identifying information about the owner of the registered vessel.

18 (b) This section does not prevent the Department from furnishing  
 19 information under this section:

20 (1) To another governmental agency;

21 (2) If not requested for the purpose of preparing a mailing list, to a  
 22 person requesting the information in connection with the compilation of statistical  
 23 data;

24 (3) As to the owners of vessels registered under this subtitle, to a  
 25 person whose request for the information is determined by the Department to be  
 26 limited to, and necessary for, the protection of the ownership, safe operation, proper  
 27 maintenance, or repair of the vessel; or

28 (4) To a financial institution, as defined in § 1–101(i) of the Financial  
 29 Institutions Article, or its agents, employees, or contractors, requesting information  
 30 under § 10–616(s) of the State Government Article.

31 **Article – State Government**

32 10–616.

33 (s) (1) [Except as provided in] **SUBJECT TO § 8–704.1 OF THE**  
 34 **NATURAL RESOURCES ARTICLE AND** paragraph (2) of this subsection, a custodian

1 may not knowingly disclose a public record of the Department of Natural Resources  
2 containing personal information **ABOUT THE OWNER OF A REGISTERED VESSEL**.

3 (2) Notwithstanding paragraph (1) of this subsection, a custodian shall  
4 disclose personal information **ABOUT THE OWNER OF A REGISTERED VESSEL** for use  
5 in the normal course of business activity by a financial institution, as defined in §  
6 1-101(i) of the Financial Institutions Article, its agents, employees, or contractors, but  
7 only:

8 (i) to verify the accuracy of personal information submitted by  
9 the individual to that financial institution; and

10 (ii) if the information submitted is not accurate, to obtain  
11 correct information only for the purpose of:

- 12 1. preventing fraud by the individual;
- 13 2. pursuing legal remedies against the individual; or
- 14 3. recovering on a debt or security interest against the  
15 individual.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 July 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.